

Medicine Laws (Med.) ✓  
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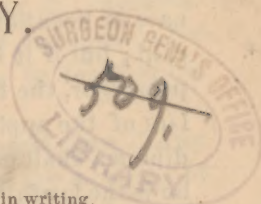


# Medicine & Surgery

[Revised Statutes 1889.]

## MEDICINE AND SURGERY.

### CHAPTER 110—ARTICLE I.



#### SECTION

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#### SECTION

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**SEC. 6871. Practitioners of medicine, qualifications of.**—Every person practicing medicine and surgery, in any of their departments, shall possess the qualifications required by this article. If a graduate of medicine, he shall present his diploma to the state board of health for verification as to its genuineness. If the diploma is found to be genuine, and if the person named therein be the person claiming and presenting the same, the state board of health shall issue its certificate to that effect, signed by at least four of the members thereof, and such diploma and certificate shall be deemed conclusive as to the right of the lawful holder of the same to practice medicine in this state. If not a graduate, the person practicing medicine in this state shall present himself before said board, and submit himself to such examination as the said board shall require, and if the examination be satisfactory to the examiners, the said board shall issue its certificate in accordance with the facts, and the lawful holder of such certificate shall be entitled to all the rights and privileges herein mentioned. (Laws 1883, p. 115.)

**SEC. 6872. Board of health to issue certificates, when.** The state board of health shall issue certificates to all who shall furnish satisfactory proof of having received diplomas or licenses from legally chartered medical institutions in good standing, of whatever school or system of medicine. They shall prepare two forms of certificates, one for persons in possession of diplomas or licenses, the other for candidates examined by the board. They shall furnish to the county



clerks of the several counties a list of all persons receiving certificates: *Provided*, that nothing in this article shall authorize the board of health to make any discrimination against the holders of genuine licenses or diplomas under any school or system of medicine. (Laws 1883, p. 115.)

**SEC. 6873. Verification of diplomas.**—Said state board of health shall examine diplomas as to their genuineness, and if the diplomas shall be found genuine, as represented, the secretary of the state board of health shall receive a fee of one dollar from each graduate or licentiate, and no further charge shall be made to such applicant; but if it be found to be fraudulent, or not lawfully owned by the possessor, the board shall be entitled to charge and collect twenty dollars of the applicant presenting such diploma. The verification of the diploma shall consist in the affidavit of the holder and applicant, that he is the lawful possessor of the same, and that he is the person therein named; such affidavit may be taken before any person authorized to administer oaths, and the same shall be attested under the hand and official seal of such officer, if he have a seal. Graduates may present their diplomas and affidavits as provided in this article, by letter or by proxy, and the state board of health shall issue a certificate as though the owner of the diploma were present. (Laws 1883, p. 115—*a*.)

**SEC. 6874. Examinations made by board.**—All examinations of persons not graduates or licentiates shall be made directly by the board, and the certificates given by the board shall authorize the possessor to practice medicine and surgery in the state of Missouri. (Laws 1883, p. 115.)

**SEC. 6875. Certificates to be recorded with county clerk.**—Every person holding a certificate from the state board of health shall have it recorded in the office of the county clerk of the county in which he resides, and the record shall be indorsed thereon. Any person removing to another county to practice medicine and surgery shall procure an indorsement to that effect on the certificate from the clerk of the county court, and shall have the certificate recorded in the office of the clerk of the county to which he removes, and the holder of the certificate shall pay to said clerk of said county the usual fees for making the record. (Laws 1883, p. 115.)

**SEC. 6876. Clerk to keep list of certificates, etc.**—The county clerk shall keep, in a book provided for the purpose, a complete list of the certificates recorded by him, with the date of the issue. If the certificate be based on a diploma or license, he shall record the

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(*a*) An applicant for a certificate to practice medicine and surgery must give satisfactory proof to board of health of having received his diploma from a legally chartered medical institution in good standing. 88 Mo. 123.

name of the medical institution conferring it, and the date when conferred. The register of the county clerk shall be open to public inspection during business hours. (Laws 1883, p. 115.)

**SEC. 6877. Examination made in writing.**—Examinations may be made in whole, or in part, in writing, and shall be of an elementary and practical character, but sufficiently strict to test the qualifications of the candidate as a practitioner. (Laws 1883, p. 115.)

**SEC. 6878. Certificates—when revoked.**—The state board of health may refuse certificates to individuals guilty of unprofessional or dishonorable conduct, and they may revoke certificates for like causes, after giving the accused an opportunity to be heard in his defense before the board. (Laws 1883, p. 115.)

**SEC. 6879. Who regarded as practicing medicine.**—Any person shall be regarded as practicing medicine within the meaning of this article, who shall profess, publicly, to be a physician, and to prescribe for the sick, or who shall append to his name the letters "M. D.;" but nothing in this article shall be construed to prohibit students from prescribing under the supervision of a preceptor, or to prohibit gratuitous services in cases of emergency; and this article shall not apply to commissioned surgeons of the United States army, navy and marine hospital service. (Laws 1883, p. 115.)

**SEC. 6880. Itinerant venders of drugs, etc., to pay license—penalty.**—Any itinerant vender of any drug, nostrum, ointment or appliance of any kind, intended for the treatment of disease or injury, or who shall, by writing or printing, or any other method, publicly profess to cure or treat diseases, injuries or deformities by any drug, nostrum, manipulation or other expedient, shall pay to the state a license of one hundred dollars per month, to be collected as provided for by law, as all other licenses are now collected; and any person violating the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed five hundred dollars, or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment. (Laws 1883, p. 115.)

**SEC. 6881. Penalty for violating provisions of this article.**—Any person practicing medicine or surgery in this state without complying with the provisions of this article shall be deemed guilty of a misdemeanor, and be punished by a fine of not less than fifty dollars nor more than five hundred dollars, or by imprisonment in the county jail for a period of not less than thirty days nor more than three hundred and sixty-five days, or by both such fine and imprisonment, for each and every offense; and any person filing or attempting to file as



his own the diploma or certificate of another, or a forged affidavit or identification, shall be guilty of a felony, and upon conviction thereof shall be subject to such fine and imprisonment as are made and provided by the statutes of this state for the crime of forgery in the second degree, but the penalties shall not be enforced until a period of six months after the passage of this law: *Provided*, that the provisions of this article shall not apply to those persons who have been practicing medicine five years in this state. (Laws 1883, p. 115.)

**SEC. 6882. Who to perform duties of county clerk in St. Louis city.**—Whenever in this article it is provided that any duty or service shall be performed by any county clerk, such duty and service in the city of St. Louis shall be performed by the city register or health commissioner of the city of St. Louis, as if such officer was specially named to perform these duties and services. (Laws 1883, p. 115.)

